

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 SPECIAL MEETING  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 WORCESTER, PA  
 TUESDAY, JULY 1, 2014 - 2:00 P.M.

**CALL TO ORDER** by Arthur Bustard at 2:01pm

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

ARTHUR C. BUSTARD	[X]
SUSAN G. CAUGHLAN	[X]
STEPHEN C. QUIGLEY	[X]

Chairman Bustard announced that Senator Rafferty informed him of a grant for sound barriers and suggested Worcester prepare an application for submittal. He explained the deadline is July 3<sup>rd</sup>, which was the reasoning to hold a special meeting.

**Resolution 2014-27**

Chairman Bustard asked F. Lee Mangan, Township Manager, to explain.

Mr. Mangan explained that the first grant opportunity is through DCED and the second is through PennDOT. By defining where the proposed sound barriers would be installed, the township is trying to "cover all bases" by submitting applications to both agencies.

Joseph Nolan, Township Engineer, explained the scope of the proposed project.

Supervisor Caughlan asked Mr. Nolan if he has looked at the most economic cost available, instead of the current Turnpike contract. Mr. Nolan explained the project goes by square footage, and the pricing is based on a current contract. Because it is on the Turnpike, they have control over the design and will have to approve it, and will want the project to adhere to their standards. Sound barriers on Route 202 are different, and this proposed project also involves elevation changes, which adds to overall costs.

James Mollick, Worcester, asked for clarification on the grant application deadline. He expressed concern over the time of the meeting, with only two members of the public present. He further asked why the Board did not comment on the matching funds component of the grant. Dr. Mollick asked who chose the three segments of proposed sound barrier locations.

Chairman Bustard clarified the township will not follow through on a match, and Senator Rafferty told him to write "match waived" on the application.

Mr. Mangan said he and Joe Nolan selected the three segments of proposed sound barrier installation.

Dr. Mollick asked about noise studies and if these proposed segments would take care of the noise problems and asked about the difference between the grant applications.

Chairman Bustard said the turnpike would not study this area based on density of homes, but that these are the houses closest to the turnpike affected most by the increased traffic due to the widening project.

Mr. Mangan said that since final decisions have not been made on funding at the state level it was advised that the township submit two applications to ensure the best possible chance to get the requested funds, but they were the same amount and areas.

Chairman Bustard said that this is all being done based on information from Senator Rafferty further commenting that if the grant goes through the project will likely be a change order to the existing Turnpike construction contract.

Daniel Dreher, Worcester, asked how many homes are proposed to be protected by these new barriers.

Mr. Mangan said it was not measured by homes, as it could benefit homes even further from the Turnpike, and the township in general.

Mr. Dreher further asked if the Chairman will be submitting the application with a mention that there will be no match. Chairman Bustard agreed.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to pass Resolution 2014-27, Multimodal Transportation Fund Grant through Commonwealth Financing Authority in the amount of \$2,999,100.

#### **Resolution 2014-28**

James Mollick, Worcester, asked if the township contacted the residents impacted by this potential project and notified them of this meeting. Dr. Mollick said that he first learned about it at last Thursday's Planning Commission meeting.

Chairman Bustard responded no, because the township was just recently notified of the potential opportunity.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to pass Resolution 2014-28, Approving the Submission of a \$2,999,100 grant for sound barrier installation along the Northeast Extension of the Pennsylvania Turnpike to Penn DOT.

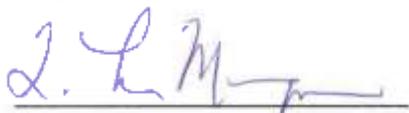
#### **PUBLIC COMMENTS**

James Mollick again commented on having a 2:00pm public meeting. Chairman Bustard said this time made the most sense for the professional staff. Dr. Mollick said Chairman Bustard's emphasis is on the staff, and Dr. Mollick said his emphasis is on the public and their input and in his opinion, the Board buries major items on agendas under the Manager's Report or holds a 2pm meeting.

#### **ADJOURNMENT**

There being no further business brought before this Board, Chairman Bustard adjourned the scheduled meeting at 2:41pm.

Respectfully submitted:

  
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F. Lee Mangan, Secretary

130105

**WORCESTER TOWNSHIP**  
**WORCESTER TOWNSHIP BOARD OF SUPERVISORS WORK SESSION**  
**WORCESTER TOWNSHIP COMMUNITY HALL**  
**WORCESTER, PA**  
**TUESDAY, JULY 8, 2014 - 9:00 A.M.**

**CALL TO ORDER** by Arthur Bustard at 9:00am

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

ARTHUR C. BUSTARD	[X]
SUSAN G. CAUGHLAN	[X]
STEPHEN C. QUIGLEY	[X]

**INFORMATIONAL ITEMS:**

Chairman Bustard announced the following informational item:

- The Planning Commission Meetings on July 10 and August 14 have been cancelled.

**Motions & Resolutions**

**APPROVAL OF THE MINUTES OF JUNE 2, 2014**

F. Lee Mangan, Township Manager, made a correction. Under May 5, 2014 minute's approval, the word "both" should be excluded.

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to dispense with the reading of, and approve as amended the minutes of June 2, 2014.

**MANAGER'S REPORT**

**A Vision for Center Point Village: Status Update to be given by MCPC**

Mr. Mangan introduced Holly Major, Montgomery County Planning Commission, to provide an update. She thanked the Board for approving the Planning Assistance Contract and gave an update on the Center Point Village Planning process.

**Zoning Hearing Board Update**

Tiffany Loomis, Director of Planning and Zoning, provided the report.

The next Zoning Hearing Board meeting will be July 22, 2014.

Application 14-06 was continued from the June 24, 2014 meeting.

A new application has been received and will be distributed this week, and formally introduced at the July 16, 2014 Board Meeting.

**Subdivision Update**

Tiffany Loomis, Director of Planning and Zoning, provided the report.

The Nelson conveyance plan, 2048 Berks Road, is requesting Preliminary/Final approval at the July 16, 2014 Board of Supervisors meeting. This is a simple lot line change for family reasons.

**Update: Video Recording Presentation**

Julie Lanzillo, Director of Parks, Recreation & Information Services, provided an updated report on the video practices of other municipalities and school districts throughout the county.

Chairman Bustard noted that very few municipalities of 10,000 residents or less offer video taping of meetings noting that may larger communities do not.

**ARLE Grant: Motion to Authorize Grant Application**

Mr. Mangan gave a report on the grant application that is in partnership with Whitpain Township. Specifically, the grant application is for an upgrade to traffic control devices. This is an attempt to upgrade five major intersections on two corridors. There is an estimated \$352,000 total cost with a 14% match coming from the two municipalities. Worcester would be responsible for approximately \$38,000 and Whitpain would contribute approximately \$9,000 to the match.

Supervisor Caughlan is pleased to see this and asked if the match can be paid for from the ACT 209 funds.

Chairman Bustard confirmed that the Board is simply doing the first of a multi-step process.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley approved by all to approve resolution 2014-29, ARLE Grant application.

James Mollick, Worcester, commented that it was nice to have the motion announced, so people knew the Board was going to vote on a motion and asked how the money will be spent.

**ENGINEER'S REPORT****Award Bid: Zacharias Trail extension project – Green Hill Road to Evansburg State Park**

Joseph Nolan, Township Engineer, provided a report on the advertised bid opening on June 26, 2014 having received five bids.

Chairman Bustard asked if this bid was within the budget. Mr. Nolan confirmed.

Supervisor Caughlan asked if this was part of the grant that was received from DCNR.

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and approved by all to award the Zacharias Trail extension project – Green Hill Road to Evansburg State Park to Ply-Mar Construction of Plymouth Meeting, PA in the amount of \$121,867.

James Mollick asked if he heard correctly, that a grant was received for this project.

Chairman Bustard asked for an update on the other portion of the trail. Mr. Nolan said the township staff is currently working on the segment between Heebner Park and Hollow Road now that all environmental studies are complete.

Supervisor Caughlan asked about a resident's concern and Mr. Nolan said it has been resolved.

Chairman Bustard asked about the road contract. Joe Nolan said it is advertised and bids will be opened on July 16, 2014, with award scheduled for the August work session.

Mr. Nolan also gave a report on the Valley Green Wastewater Treatment Plant construction project.

Mr. Nolan said that the township crew is dedicating a lot of their time to the trail project, and therefore, the staff probably does not have as many resources to do culvert and drainage repair.

#### **SOLICITOR'S REPORT**

James Garrity, Township Solicitor, had no report.

#### **OTHER BUSINESS**

Supervisor Caughlan said Hickory Hill residents are still telling her of their deep concerns over choosing the Low Pressure system, so she would like to hear from the residents to see if there is a change in opinion among them from the survey done one year and a half ago. She wants accurate information to reach each resident and find a way to hear their true feelings in a way that they do not feel pressured.

Chairman Bustard asked for her suggestion and she asked Mr. Mangan for his input on how to get their answers in writing.

Mr. Mangan said this has already been done but it is a Board decision if they feel that more information needs to be given out. He feels that the township has been very thorough in providing information on this matter.

Supervisor Caughlan said special meetings are never fully attended and she would prefer having residents provide their individual opinion in writing or in meetings with the staff.

Supervisor Quigley said he has been a supervisor for about 7.5 years and was told that the Center Point Village sewer was the biggest issue when he took office, so he pushed for it for two years. Last summer, he favored and made a motion for gravity sewer and had no "second" to his motion. When Mr. Nolan explained the blasting requirement, deeper and wider road cuts, he favored the low pressure system and the motion passed. He felt that the township went above and beyond sending out surveys multiple times and then following up with phone calls to those that did not reply.

Chairman Bustard said he thinks the township has done the process as well as possible and reached out as much as possible. It was made 12 months ago and that is his position.

Daniel Dreher, Worcester, said that Supervisor Quigley mentioned blasting, but that he believed Mr. Nolan took that off the table. He further commented that people did not show up at meetings because the agendas did not reflect a vote. Mr. Dreher would like the supervisors to vote on doing a new survey.

Supervisor Quigley said many meetings had a large turnout, so clearly people were aware.

Chairman Bustard said no, he is not bringing it up.

Mr. Dreher asked if he may confirm that the township will be sending out another survey and asked Supervisor Caughlan to start the vote.

Chairman Bustard stated this decision has been made.

Jeff Cook, Worcester, thanked the Board and Township for all of the work being done. He commented that the original survey was flawed, with three choices. He selected to keep his current system, which

he finds out now, was not really an option. A decision was made at the time that finances were a big issue for residents, and the low pressure system was selected.

Charlie Watson, Worcester, said this is not about sewers, but it is about financing. If people were told they were getting sewers at no cost, they would all take them. The issue is about the cost. He further commented on grant programs.

Harry Alderfer, Worcester, stated he is one of the original homeowners in Worcester Acres. He built his own home and is very familiar with the soil conditions in Worcester. He does not agree with the need for blasting and doesn't understand why the Board is adamant about a low-pressure system.

Supervisor Caughlan said if every resident were hooked up to gravity, the system would work. She said, however, that the township negotiated with DEP that if a septic system is working, those homeowners are not required to hook up to public sewer immediately. The understanding is that the gravity system would not work without constant steady flow and volume. Part of the low-pressure decision was due to not every resident connecting immediately.

Mary Grace Sparango, Worcester, stated she is a township resident and a builder that has built 100 homes in Worcester. Through Upper Gwynedd, some of her properties have a gravity public sewer system, but in Applewood Estates her company was required to do a low pressure system. In real estate, gravity systems are "king."

James Mollick agreed the sewer survey was flawed and therefore the results were incorrect. He further believed Mr. Mangan was calling residents and a bias is reflected in the results.

Diane Cook, Worcester, said she is no sewer expert, but that everything she has read indicates gravity systems are the best, and that low pressure is an acceptable alternative where gravity systems are not possible.

Supervisor Caughlan made a motion that the township prepare an informational mailing to all Hickory Hill residents, with pros and cons and request each resident to respond at a public meeting or privately, if they prefer, with a time limit of two weeks to respond. She thinks it should be mailed certified.

Chairman Bustard said he has made it clear and he does not want to reopen the matter. Supervisor Quigley said he agreed wholeheartedly with Chairman Bustard on his stance. He has heard from many residents that they cannot afford the higher priced gravity system.

Supervisor Caughlan stated she will bring this up at every meeting and Chairman Bustard said she is welcome to do so.

Supervisor Quigley said he has taken a stance. Last July he took a stance for gravity, and there was no second to his motion. He appreciated the comments from the people in the audience, and their desire for a gravity system, but just as many other people have contacted him asking him to vote for a lower-cost option (Low Pressure) due to the financial hardship.

Chairman Bustard adjourned the meeting at 10:42am.

Chairman Bustard reopened the meeting at 10:43am into public comments.

**PUBLIC COMMENTS**

George Welch, Worcester, of Stony Creek Farms, said a land survey was just done and there is a new property line three feet from his deck. Chairman Bustard told him to contact Tiffany Loomis at the township office.

James Mollick asked about Phase 1 of the Army Base study. He said that he was denied the document through the Right to Know process because it is not a public document. He commented on his Right to Know request for information on Miller Environmental, and asked if the Board knew they terminated their contract with the township prior to the recent renewal.

Daniel Dreher said he dropped off a letter to the township manager on June 2, 2014 regarding a change for the Act 537 plan and should he assume the Board is denying his request for a gravity sewer system.

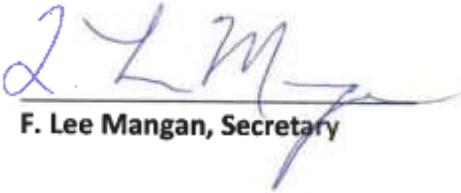
Chairman Bustard said that is a reasonable assumption but that he has to talk it over with the Manager.

Mr. Dreher asked for clarification. Chairman Bustard said he has no plans to change Act 537 but he needs to talk with the Manager and Council.

**ADJOURNMENT**

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 10:55am.

Respectfully submitted:



F. Lee Mangan, Secretary

WORCESTER TOWNSHIP  
 WORCESTER TOWNSHIP BOARD OF SUPERVISORS  
 WORCESTER TOWNSHIP COMMUNITY HALL  
 WORCESTER, PA  
 WEDNESDAY, JULY 16, 2014 - 7:30 P.M.

**CALL TO ORDER** by Arthur Bustard at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

PRESENT:

ARTHUR C. BUSTARD	[X]
SUSAN G. CAUGHLAN	[X]
STEPHEN C. QUIGLEY	[X]

**INFORMATIONAL ITEMS:**

Chairman Bustard announced several informational items:

- The Planning Commission Work Session for August 14 has been cancelled.
- The 2014 Road Improvement Contract bids will be opened on July 23, 2014 at 1pm and awarded at the August Work session on August 4, 2014.
- Mr. Garrity informed the public of an appeal against the 537 Plan regarding the Hickory Hill sewer project for the low pressure sanitary system proposed. The solution is on hold until the Environmental Hearing Board makes a formal decision.

**Motions & Resolutions**

**Approval of the minutes of June 18, 2014**

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to dispense with the reading of, and approve as written the minutes of June 18, 2014.

**Approval of the minutes of June 18, 2014; Special Sewer Meeting**

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to dispense with the reading of, and approve as written the minutes of June 18, 2014 special meeting

Steve Rock, Worcester, commented on the precedent set on established voting procedures but not followed when the votes were taken in relation to the sewer system selection.

Thomas Direso, Worcester, inquired as to why the last special meeting was held, and stated that a motion had been made to re-survey the area by Ms. Caughlan, and that the public's requests need to be taken into consideration.

James Mollick, Worcester, commented on the minutes not reflecting accuracy. He cited particular sections and inquired to their specifics.

**Approval of the minutes of the special meeting July 1, 2014**

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to dispense with the reading of, and approve as written the minutes of July 1, 2014.

James Mollick commented on the content of the minutes and the time that the special meeting was scheduled. He held issue with why the meeting was held at 2pm in the afternoon, but not mentioned in the minutes.

Mr. Rock supported James Mollick's comments and commented on the time of the meeting when sewer grants are not available, but held an afternoon meeting for a \$ 2.5 million grant for other projects.

Mark Chiappetta, Worcester, commented on the present worth analysis of the sewer system using a 10-year basis when pipes should have a life expectancy of at least 50 years and called it short sighted.

### **TREASURER'S REPORT**

The Treasurer's report for June net change on cash basis:

#### **June, 2014 Report:**

General Fund	\$432,848.98
State	\$198,892.08
Capital Reserve	\$ 351.13
Sewer Fund	(\$487,674.67)

A motion by Supervisor Caughlan, seconded by Supervisor Quigley and passed by all to accept the Treasurer's Report for June, 2014.

James Mollick commented on line item specifics concerning the negative balance in the sewer fund and from where the money will come. Mr. Mangan directed the question to the Treasurer.

William Kazimer commented on the cash basis information provided. He inquired as to why things are evaluated from a cash basis.

#### **Payment of Bills of the Township**

A motion by Supervisor Caughlan, seconded by Supervisor Quigley, and passed by all to pay the bills of the Township in the amount of \$628,043.29.

James Mollick commented on the \$23,000 paid for legal bills and inquired as to what the itemized invoices reflect. Mr. Bustard directed James Mollick to request the specific invoices from the Township.

#### **Preliminary/ Final Subdivision: 2048 Berks Road (Nelson)**

A motion by Supervisor Caughlan seconded by Supervisor Quigley and approved by all to accept Resolution 2014-30: Preliminary / Final Subdivision – 2048 Berks Road.

Joseph Nolan, Township Engineer, explained the plan in detail showing two lots being divided and rejoined. No additional building lots are being created.

### **MANAGER'S REPORT**

#### **Zoning Hearing Board Update**

Tiffany Loomis, Director of Planning and Zoning, provided the report.

Application 14-06; 2131 Bethel Road, three lots seeking relief for driveway access with less distance from intersection than allowed by code. A continuance was requested and will be heard at the July 22, 2014 meeting.

Application 14-07, 3227 Meadow Lane for stone entry pillars 72" in height instead of the 60" allowed by right.

#### **Subdivision and Land Development Report**

Tiffany Loomis, Director of Planning and Zoning, had no update.

#### **2665 Skippack Pike – Informal Presentation**

Mr. Mangan introduced Mr. Bartle, Esq. He explained the uses of the property. It will serve as a restaurant including a liquor license, with a theatre and small gift shop. He explained the previous uses being the Swiss Chalet, Solaris Grill, & Tequila Joes and further explained how this is a by-right restaurant use to a pre-existing non-conforming use.

The use proposed is a restaurant use and must obtain approvals by Labor Day. It operates on the same time frame as the school district. He explained the technical components of the plan and provided a previous ZHB application and county records. They will be under a performing arts liquor license. 15 to 25 children will perform at any given time. The property will be used from Monday thru Thursday for the performances. He also gave a breakdown of the specific times the children will be performing in the building with a maximum of 30 children. There are no proposed structure changes.

The client would be making future interior improvements, as well as obtaining all proper permits. Land Development would not be needed given the permits proposed.

Mr. Bartle requested issuance of the U&O for the property for the proposed use. Mr. Garrity advised the Board that the decision should be made by the Zoning Officer in conjunction with the Solicitor's office.

Ms. Caughlan commented on the Zoning Code of the Township and that the Township may not waive the zoning requirements of the Township. She further inquired if anyone has spoken with the neighbors, if this is actually a non-conforming pre-existing use, and if storm-water issues will be addressed. She inquired if Land Development would be proposed. Mr. Nolan responded that Land Development is not currently proposed.

Mr. Bartle responded to the issue of use regarding classes not being there. This is a restaurant use due to there being a "dinner theatre".

Mr. Quigley commented that this a low impact business concerning the theatre and restaurant use that could clean up the corner. He would like to see this process expedited and asked that the Zoning Officer be introduced.

#### **Engineer's Report**

He updated the Board regarding the bid contract for the 2014 Road Improvement project with bids to be opened July 23, 2014 at 1:00 p.m. with a 45 day completion clause.

Valley Green Wastewater Treatment Plant: A large crane will be delivered and mobilized by Monday. Precast panels will be delivered Tuesday and Wednesday causing intermittent Defford Road closures for

safety reasons. The mechanical portion is next to being completed after the panels are installed. The project is on-time and on schedule.

The Preserve at Worcester had their pre-construction meeting. Earth moving activities have started and significant security deposits have already been collected for homes. The roads are planned to be completed by the end of the year and sewer line connections have started with blasting required for the gravity sewer and pump stations.

#### **Zacharias Trail Project Update**

The bituminous path has been completed by the Public works Department and The Township is currently waiting for a bog turtle study to be completed.

#### **Solicitor's Report**

None

#### **Other Business**

Ms. Caughlan renewed her motion regarding the operational and informational packet regarding the Hickory Hill Sewer Expansion Project to be sent to the affected residents. Receiving no second, the motion was dropped.

#### **Public Comments**

Michael Bail, Stony Creek Farms Development - Worcester, commented on the process of the Board of Directors and the Transition Committee regarding the Developer's intentions. The Developer has requirements to be met and the Township is responsible for ensuring that the requirements are done, noting serious landscape issues. He commented on the topsoil specifications and offered to show the Board pictures of the massive amount of rocks in his yard.

Harvey Watts, Stony Creek Farms Development - Worcester, is in agreement with Mr. Bail. He further commented on the amount of top-soil and brought specific pictures to show the Board. He requested help from the Township in dealing with Developer to uphold the contractual obligations.

Sue Helveston, Stony Creek Farms Development - Worcester, commented that Stony Creek Farms used to be a farm and commented on a ravine with a collection of trash. The ravine and a well pose hazards and threats to the community. She commented on the dead ash trees that are located along the trails that could potentially fall and hurt someone, and noted that the builder has not planted the required number or type of trees. She is concerned the plan will not be built to the specifications referenced on the plan.

Nancy Granese, Stony Creek Farms Development - Worcester, commented on Phase IV having seen dead trees covered and planted over, three applications of lawns seeding, and also commented on the water consumption to date to keep grass and plants alive. She requested help from the township.

Michael Henrich, Stony Creek Farms Development - Worcester, stated he notified the builder regarding lawn issues and never received a response from the builder. He requested help from the Township.

Roberta Sowers, Stony Creek Farms Development - Worcester, commented on the quality of her lawn noting that she has spoken with the Developer repeated times, and she has nothing but clover in the yard and the walking path is under water. She requested help from the Township.

James Tatascoire, Stony Creek Farms Development - Worcester, commented on the topsoil, rocks and hydro seeding. He has contacted the Developer concerning the required 6 inches of topsoil required. He requested help from the Township.

Janet Dransfield, Stony Creek Farms Development - Worcester, commented on the rocky terrain. He brought a picture for the Board's review.

William Goulding, Stony Creek Farms Development - Worcester, current president of the Home Owners Association, commented on the process of the builders and contractors regarding the issues at hand. He has brought a zip drive of what has been occurring. He explained that only four units remain to be sold and is concerned about the process moving forward. He acknowledged that Township staff has communicated with the Developer, Builder, and residents, but still asked for the Board's full support for the Township to intervene further suggesting a "Stop Work Order."

Steven Pack, Stony Creek Farms Development - Worcester, commented on speaking with the site supervisor and the process used to spread top soil, a lackluster effort at best.

John Diesel, Worcester, commented on the Hickory Sewer Upgrade project and inquired if a bond requirement has been established.

Mr. Rock commented on accountability, responsibility, and liability and inquired as to who is responsible for the projects at hand in response to the required trees at Stony Creek Farms.

Dan Dreher, Worcester, thanked Ms. Caughlan for her commitment for the additional survey request and inquired why there was no second. He stated that Mr. Garrity advised the Board to not comment due to the appeal.

Robert Anders, Worcester, commented on ordinance requirements that are set forth for the Hickory Hill area and requested transparency and that accurate information should be provided to the public. He specifically referenced the cost of the systems and payments of the system and the tapping fee of \$3,500.00. He is concerned about lots being subdivided and how this will affect the rate for the person who will benefit in relation to all other paying parties. He also referenced other costs related to the public sewer project and suggested waiving permit fees.

Thomas Direso inquired if this is a done deal because many individuals did not receive the mailing.

Herbert Roth, Worcester, commented as a concerned tax payer and is concerned with the conditional use hearing regarding the Methacton School Lighting Project not being scheduled. He is a Methacton School Board Member and would like to see the process proceed. He is concerned with the legal fees that are being incurred in addition to the rising cost of construction of the field.

Mr. Bustard called Mr. Garrity to give a report on the Conditional Use Hearing Meeting Dates. He further explained that dates have not been set in July or August due to planned vacations and dates will be scheduled without everyone's consent and they will need to adjust their schedules.

Jeffery Cook, Worcester, inquired of Mr. Garrity the timeline regarding the appeal of the Hickory Hill Sewer Proposed Project. Mr. Garrity explained the appeal process and noted the appeal may take four to six months. He explained that is all dependent on whether the appeal is denied or upheld.

Ronald Evans, Worcester, commented on the pond at Mill & Kriebel Mill Roads containing green algae and has called the Montgomery County Health Department. He also commented on the Conditional Use Hearings and lack of future dates for continued hearings. He stated he is getting complaints from residents about the delay and referenced an email from a Louis Beyer.

Mr. Kazimer commented on Stony Creek Farms and his empathy for the residents and expressed disappointment that a gated community is in this condition. He inquired if the Township is able to help from a legal standpoint, suggested the Township hold money until topsoil is spread per the agreement, and noted Toll Brothers being in business a long time and using gravity sewer installation.

Mr. Garrity replied that the topsoil is the main issue. The Township is pushing the Developer to sift the topsoil and/or import the topsoil which is a very expensive process. The Township has had numerous meetings regarding this issue to help. He also explained the escrow process and the money the Township holds.

Michael Brumbaugh, Stony Creek Farms Development - Worcester, commented on Sections III & IV regarding the condition of the topsoil. He referenced the soil testing conducted and will send pictures of the good topsoil to the Township.

Mary Kathryn Tucker, Stony Creek Farms Development - Worcester, commented on the builder, Ryan Homes, not living up to their commitment regarding the quality and quantity of topsoil and the required trees that are to be planted.

Anne Marie Schmalbach, Stony Creek Farms Development - Worcester, commented that after she purchased her home in Stony Creek, she saw the building, Cutler, trucking topsoil from the site.

Supervisor Caughlan inquired if the Pennsylvania Turnpike Commission is able to provide topsoil from the widening project currently under construction. Mr. Nolan replied that they may and he will inquire to see if this is a possibility.

Chairman Bustard asked Mr. Nolan to give an update regarding the Township's meetings and progress with the Stony Creek Farms Developer and the Builder.

Mr. Nolan informed the Board that he has met with the Developer approximately 20 times over the past couple of years and recently met with Ryan Homes to ensure the requirements that must be completed. He has met with the Landscaping Committee at least one dozen times as well in addition to walking the site with the Home Owners Representatives. A system has been established, however, if the procedure is not being followed he will further address it. He further stated it is the most uncoordinated effort in tree planting that he has ever seen in regards to any Developer.

Chairman Bustard assured the resident that the Township is working hard, staying involved, and making sure that the letter of the law is upheld.

Supervisor Caughlan inquired what residents can do since they live there 24/7 to get a response. Mr. Nolan stated that this is currently happening and he receives emails and pictures on a weekly basis.

Harvey Watts, Stony Creek Farms Development - Worcester, commented on the poor quality of the lawns and was told by the builder that his lawn will be hydro-seeded. He is glad to see the rules will be upheld.

Cheryl Brumbaugh commented that she would be remiss if she didn't thank of Mr. Mangan & Mr. Nolan and the commitment and dedication to rectifying the issues brought up this evening. She thanked the Board for their support.

Carolyn Seddon, Stony Creek Farms Development - Worcester, lives in Phase III. She commented on the quality of the lawn due to the poor quality of the soil even with her husband watering the lawn night and day, and there has been no improvement in the quality of the lawn. She is disturbed by the overgrowing concerns and thanked the Board and requested their help.

James Mollick commented on the Stony Creek Farms residents, the close out of Phases I, Phase II & Phase III of Stony Creek Farms, the appeal for the Hickory Hill sewer project, Mr. Garrity's bills regarding a James Mollick Right to Know requests and the amount charged.

#### **ADJOURNMENT**

There being no further business brought before this Board, Chairman Bustard adjourned the regularly scheduled meeting at 9:36 p.m.

Respectfully submitted:



**F. Lee Mangan, Secretary**